APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,218	08/29/2000	Albert M. Avery IV	004609.P002	9822

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EXAMINER
CHEN, SHIN HON

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)
Office Action Summary	09/650,218		AVERY ET AL.
	Examiner		Art Unit
	Shin-Hon Chen		2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 July 2004</u>.

2a)☒ This action is **FINAL**.　　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19 and 26-30* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19 and 26-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *31-35* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-19, 26-30 have been examined.

Election/Restrictions

2.   Since applicant has received an action on the merits for the originally presented

invention, this invention has been constructively elected by original presentation for prosecution

on the merits. Accordingly, claims 31-35 are withdrawn from consideration as being directed to

a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Newly submitted claims 31-35 directed to an invention that is independent or distinct from the

invention originally claimed for the following reasons: The original claims 1-19, and 26-30

focuses on access control based on biometric acquisition, which belongs to class 713/186. The

newly added claims focuses on business method of allocating resources or scheduling for an

administrative function and staff scheduling or task assignment, which belongs to 705/8. In this

instance, the newly submitted claims 31-35 have separate functions such as tracking location of a

member and generating and updating case assignment.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-3, 6, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Puchek et al. U.S. Pat. No. 6496595 (hereinafter Puchek) in view of Gravlin U.S. Pat. No.

6353853 (hereinafter Gravlin).

5.   As per claim 1, 26, and 27, Puchek discloses an Internet co-location facility security

system, comprising:

     a.   Plurality of biometrics readers (Puchek: column 5 line 63 – column 6 line 17);

     b.   An access control system coupled to the plurality of biometrics readers (Puchek:

     column 6 line 44 – column 7 line 40);

     c.   A computer including a central software program connected to the access control

     system, the central software program configured to monitor the use of the plurality of

     biometrics readers (Puchek: column 6 line 44 – column 7 line 40);

     d.   A server including a database connected to the central software program, the database

     configured to receive information from the central software program regarding the use of

     the plurality of biometrics readers (Puchek: column 7 lines 21-40 and column 9 line 40 –

     column 10 line 40).

However, Puchek does not explicitly disclose

     e.   Transmit this information to co-located members through the Internet; and

     f.   A web-based interface configured to allow co-located members to schedule visits to

     the facility through the Internet to the database on the server.

However, Gravlin discloses these limitations (Gravlin: column 1 lines 6-64 and column 2 line 32

– column 3 line 13: enable authorized users to monitor, control, configure, and interact with he

BAS...time of day scheduling for the facility... enabled to locally or remotely manage). Since

the Puchek discloses the monitoring information and access control information can be

transmitted to database/server through Internet and use for statistic or other purposes, the

monitoring information obtained from the access control system can be downloaded by the

server and transmitted to web-based remote clients to control and manage building remotely for

reasons as building maintenance and security purposes. It would have been obvious to one

having ordinary skill in the art to combine the teachings of Gravlin within the system of Puchek

because it allows authorized users to monitor and control a building remotely through Internet

and cut down the cost of security personnel.

6.   As per claim 2 and 28, Puchek as modified discloses the Internet co-location facility

security system of Claim 1 and 26 respectively. Puchek further discloses including an input

device coupled to each of the plurality of biometrics readers for entry of a visitor identification

code of a visitor, a match between the visitor identification code and the visitor's personal

identification characteristics triggering the access control system to allow the visitor to gain

access to designated areas in the facility (Puchek: column 2 lines 4-18 and column 5 lines 7-20).

7.   As per claim 3 and 29, Puchek as modified discloses the Internet co-location facility

security system of Claim 2. Puchek further discloses wherein the access control system further

includes a transmitter for transmitting the information regarding the use of the plurality of

biometrics readers to the central software program, the information regarding the use of the

plurality of biometrics readers including the visitor identification code and the date anal time the

visitor used one or more of the plurality of biometrics readers (Puchek: column 9 line 62 –

column 10 line 40).

8.   As per claim 6, Puchek as modified discloses the Internet co-location facility security

system of Claim 1. Puchek further discloses including a front entrance biometrics reader for

initial access to the facility, the use of the front entrance biometrics reader triggering the central

software program to transmit information regarding the use of the front entrance biometrics

reader to a lobby workstation (Puchek: column 8 lines 18-56).

9.   Claims 4, 5, 7-10, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Puchek in view of Gravlin and further in view of Daigneault et al. U.S. Pub. No.

US20020029349 (hereinafter Daigneault).

10.   As per claim 4, Puchek as modified discloses the Internet co-location facility security

system of Claim 1. Puchek as modified does not explicitly disclose wherein information

regarding the scheduled visits transmitted by the co-located members through the Internet to the

database on the server includes the date, time, expected duration of a scheduled visit, and a visit

identification number for the scheduled visit. However, Daigneault discloses that limitation

(Daigneault: [0002]-[0005]). It would have been obvious to one having ordinary skill in the art to

combine the teachings of Daigneault within the combination of Puchek because it allows the

access control system to not only authenticate users based on biometric parameters but also on

schedules.

11.   As per claim 5, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified does not explicitly discloses wherein the server further includes a transmitter for transmitting information regarding the scheduled visits to the central software program through a network. However, Daigneault discloses that limitation (Daigneault: [0002]-[0005]). Same rationale applies here as above in rejecting claim 4.

12.   As per claim 7, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified does not explicitly disclose including a user interface for triggering the central software program to combine a visitor identification code with a visit identification number for the scheduled visit. However, Daigneault discloses that limitation (Daigneault: [0009]-[0013]). It would have been obvious to one having ordinary skill in the art co combine the teachings of Daigneault within the combination of Puchek-Gravlin because it allows the system to authenticate the user according to his/her identification along with the schedule to allow access.

13.   As per claim 8, Puchek as modified discloses the Internet co-location facility security system of Claim 7. Puchek as modified further discloses wherein the user interface authorizes a visitor to progress through the remainder of the facility using the plurality of biometrics readers (Puchek: column 5 line 63 – column 6 line 17: plurality of local access control system; Daigneault: [0002]-[0013]).

14.   As per claim 9, Puchek as modified discloses the Internet co-location facility security

system of Claim 1. Puchek as modified further discloses wherein information regarding the use

of the plurality of biometrics readers is transmitted by the central software program through the

network to the database on the server (Puchek: column 9 line 62 – column 10 line 40). Puchek as

modifies does not explicitly disclose the information including a visitor identification code, a

visit identification number for the scheduled visit, and the date and time a visitor used any one of

the plurality of biometrics readers. However, Daigneault discloses that limitation (Daigneault:

[0002]-[0013]). Same rationale applies here as above in rejecting claim 7.

15.   As per claim 10, Puchek as modified discloses the Internet co-location facility security

system of Claim 9. Puchek as modified further discloses wherein the co-located members may

access the information in the database regarding a visitor's use of the plurality of biometrics

readers by using the web-based interface accessible from one or more remote computer terminals

connected to the Internet (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line

13). Same rationale applies here as above in rejecting claim 1.

16.   As per claim 30, Puchek as modified discloses the Internet co-location facility security

system of Claims 26. Puchek as modified further disclose the information transmitted to the

database on the server where it is accessible to co-located members from one or more remote

computer terminals connected to the Internet (Gravlin: column 1 lines 6-64; column 2 lines 32 –

column 3 line 13). Puchek as modified does not explicitly disclose the central software program

combines a visit identification number with the information regarding the use of the plurality of

biometrics readers from the access control system. However, Daigneault discloses that limitation
(Daigneault: [0009]-[0013]). Same rationale applies here as above in rejecting claim 7.

17.   Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek in
view of Gravlin and further in view of Schmitt et al. U.S. Pat. No. 5903225 (hereinafter Schmitt).

18.   As per claim 11, Puchek discloses an Internet co-location facility security system,
comprising:

     a.   A computer including a central software program connected to the access control

     system, the central software program configured to monitor the use of the plurality of

     other biometrics readers (Puchek: column 5 line 63 – column 6 line 17 and column 6 line

     44- column 7 line 40);

     b.   A server including a database connected to the central software program, the database

     configured to receive information from the central software program regarding the use of

     the plurality of biometrics readers (Puchek: column 7 line 21-40 and column 9 line 40 –

     column 10 line 40).

Puchek does not explicitly disclose

     c.   Transmitting this information to co-located members through the Internet;

     d.   and a web-based interface configured to allow co-located members to schedule visits

     to the facility through the Internet to the database on the server.

However, Gravlin discloses that limitation (Gravlin: column 1 lines 6-64 and column 2 line 32 –
column 3 line 13). The monitoring information obtained from the access control system can be

downloaded by the server and transmitted to web-based remote clients for monitoring. It would

have been obvious to one having ordinary skill in the art to combine the teachings of Gravlin

within the system of Puchek because it allows authorized users to monitor and control a building

remotely through Internet and cut down the cost of security personnel.

18. The combination of Puchek-Gravlin does not explicitly discloses an enrollment biometrics

reader; and an access control system coupled the enrollment biometrics reader and to a plurality

of other biometrics readers. However, Schmitt discloses that limitation (Schmitt: column 2 line

37 – column 3 line 57). It would have been obvious to one having ordinary skill in the art to

combine the teachings of Schmitt within the combination of Puchek-Gravlin because it allows a

person to access an area if that person is not already registered user by allowing on-site

enrollment.

19.   As per claim 12, Puchek as modified discloses the Internet co-location facility security

system of Claim 11. Puchek as modified further discloses including an imaging device to record

an image of a personal characteristic of a visitor not previously enrolled in the security system,

the image of the personal characteristic stored on a storage device in the enrollment biometrics

reader (Schmitt: column 2 line 37 – column 3 line 57). Same rationale applies here as above in

rejecting claim 11.

20.   As per claim 13, Puchek as modified discloses the Internet co-location facility security

system of Claim 12. Puchek as modified further discloses including an input device coupled to

the enrollment biometrics reader for matching a stored image of the visitor's personal

characteristic with a visitor identification code entered into the enrollment biometrics reader

through the input device (Puchek: column 2 lines 4-18).

21.   As per claim 14, Puchek as modified discloses the Internet co-location facility security

system of Claim 13. Puchek as modified further discloses wherein the enrollment biometrics

reader transmits a stored image matched with a visitor identification code to the plurality of other

biometrics readers located in the facility through a private security network (Puchek: column 2

lines 4-18 and column 4 line 63 – column 5 line 20).

22.   As per claim 15, Puchek as modified discloses the Internet co-location facility security

system of Claim 11. Puchek as modified further discloses wherein a visitor may be enrolled in

the access control system by entering the visitor information into an input device coupled to the

access control system (Schmitt: column 2 line 37 – column 3 line 57). Same rationale applies

here as above in rejecting claim 11.

23.   As per claim 16, Puchek as modified discloses the Internet co-location facility security

system of Claim 11. Puchek as modified further discloses wherein a stored image matched with a

visitor identification code from the enrollment biometrics reader and identification information

from the access control system is download by the central software program, the central software

program transmitting the information through the Internet to the database on the server (Puchek:

column 9 line 62 – column 10 line 40).

24.   As per claim 17, Puchek as modified discloses the Internet co-location facility security

system of Claim 16. Puchek as modified further discloses wherein the database transmits the

information from the central software program through a network to a database on a server in

one or more other facilities (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line

13). Same rationale applies here as above in rejecting claim 11.

25.   As per claim 18, Puchek as modified discloses the Internet co-location facility security

system of Claim 17. Puchek as modified further discloses wherein the database transmits the

information through the network to an access control system and through a private security

network to a plurality of biometrics readers in one or more other facilities, the information

transmitted by the database automatically enrolling the visitor on the access control system and

the plurality of biometrics readers in the one or more other facilities (Puchek: column 7 line 41 –

column 8 line 17).

26.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek in view

of Gravlin and further in view of Schmitt and further in view of Daigneault.

27.   As per claim 19, Puchek as modified discloses the Internet co-location facility security

system of Claim 18. Puchek does not explicitly discloses wherein the visitor uses the plurality of

other biometrics readers to gain access to designated areas in the facility, the information

regarding the use of the plurality of other biometrics readers including the visitor identification

code, a visit identification number, and the date and time the visitor used one or more of the

plurality of other biometrics readers. However, Daigneault discloses that limitation (Daigneault: [0009]-[0028]). Same rationale applies here as above in rejecting claim 7.

Response to Argument

28.   Applicant's arguments filed 9/7/2004 have been fully considered but they are not persuasive.

According to page 10 of applicant's response and amendment, the applicant states that Gravlin discloses an interface panel generated on a display of a client, that an authorized user can monitor, control, configure and interact with the BAS through its links or embedded HTML server using a mouse or other convenient input device to "select" the push buttons or other interface panel devices. The applicant argues that Gravlin does not disclose a web-based interface configured to allow co-located members to schedule visits to the facility through the Internet. However, Gravlin discloses HTML Client program can monitor, control, configure and interact with the BAS and also time of day scheduling for the facility (Gravlin: column 1 lines 18-40). Therefore, the combination of Puchek and Gravlin discloses the claimed limitation by enabling remote users to access, monitor, and control building operations and perform miscellaneous tasks through web-based interface and the monitored information and access information can be uploaded to database/server so that the information can be used by the authorized user to manage the building and other purposes. Since both references allow connections to be established in order to transfer data. Therefore, the references can be combined to discloses the claimed limitation.

Conclusion

29.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Karp et al. U.S. Pat. No. 6591242 discloses visit verification method and system by

authenticating biometric information of visitor and keeping track of the location of the visitor.

Lim et al. U.S. Pat. No. 6370582 discloses method and system for providing cross-

platform remote control, monitoring, and updating of a facility access controller.

Wewalaarachchi et al. U.S. Pat. No. 6477434 discloses method for the creation of

personalized supervisory and control data acquisition systems for the management and

integration of real-time enterprise-wide applications and systems.

Acimovic et al. U.S. Pat. No. 5517185 discloses building communication and control

system.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing
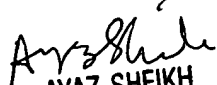
date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Shin-Hon Chen whose telephone number is (703) 305-8654. The

examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

<div style="text-align: right;">

Shin-Hon Chen
Examiner
Art Unit 2131

</div>

SC

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100